



# **Office of State and Federal Policy Legislative Brief**

## **Board of Health Policy Committee**

**March 27, 2017**

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# Community and Family Health



## 5 Bills On Report

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**HB1006 Paraphrase:** HB1006, by Rep. Jason Murphey, R-Guthrie and Sen. Nathan Dahm,



R-Broken Arrow, repeals the creation of the Task Force on the Promotion of Children's Health; the purpose duties, members, meeting, staff and reports of the Oklahoma Task Force to Eliminate Health Disparities; the Task Force on Nursing Home Insurance Access; and the Advisory Council on Cord Blood Donations.

**Effective Date:** 11/01/2017 **Emergency:** No

**Principal Authors:** Murphey, Jason (H); Dahm, Nathan (S)

**Status:** Second Reading - Referred to Senate Committee **Status Date:** 03/14/2017

**Committee(1):** **S Health & Human Services (S)**

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**HB1013 Paraphrase:** HB1013, by Rep. Josh Cockroft, R-Tecumseh and Sen. A J Griffin,



R-Guthrie, removes the requirement for an advanced practice registered nurse to work under a supervising physician in order to have prescribing authority. It removes subsequent references to physician supervision of advanced practice registered nurses. The bill expands the definition of the term "advanced practice registered nurse" to include an individual who has been educationally prepared to assume responsibility and accountability for health promotion and/or maintenance as well as the assessment, diagnosis and management of patient problems which may include the use and prescription of pharmacological and non-pharmacological interventions and who has clinical experience of sufficient depth and breadth to reflect the license. The bill lists the scope of practice for advanced practice registered nurses and provides an advanced practice registered nurse may serve as a primary care provider of record. The bill modifies the duties of a certified nurse practitioner, clinical nurse specialist and nurse-midwife. It removes the definitions of the terms "supervising physician" and "supervision of an advanced practice registered nurse with prescriptive authority." The bill permits the Board of Nursing to grant prescribing and ordering authority through the Advanced Practice Registered Nurse license to Certified Nurse Practitioners, Certified Nurse-Midwives

and Clinical Nurse Specialists meeting requirements identified in the Board's rules. It permits the board to limit the ability of Certified Nurse Practitioners, Certified Nurse-Midwives and Clinical Nurse Specialists to prescribe and order. It authorizes all licensed Certified Nurse Practitioners, Certified Nurse-Midwives and Clinical Nurse Specialists who are granted prescribing and ordering authority to diagnose, prescribe and institute therapy or referrals of patients to healthcare agencies, healthcare providers and community resources. It also authorizes them to prescribe, procure, administer and dispense over the counter legend and controlled substances. It allow them to plan and initiate a therapeutic regimen that includes ordering and prescribing medical devices and equipment, nutrition, diagnostic and supportive services, including but not limited to speech therapy, home health care, hospice and physical and occupational therapy. The bill repeals statutory language establishing the Formulary Advisory Council. (Amended by House)

**Effective Date:** 11/01/2017 **Emergency:** No

**Principal Authors:** Cockroft, Josh (H); Griffin, A J (S)

**Status:** Second Reading - Referred to Senate Committee **Status Date:** 03/14/2017

**Committee(1):** **S Health & Human Services (S)**

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**HB1996 Paraphrase:** HB1996, by Rep. John Jordan, R-Yukon and Sen. Chris Kidd, R-



Addington, recreates the Oklahoma Partnership for School Readiness Board until July 1, 2023.

**Effective Date:** / / **Emergency:** No

**Principal Authors:** Jordan, John (H); Kidd, Chris (S)

**Status:** S Committee - Do Pass as Amended **Status Date:** 03/27/2017

**Committee(1):** **S General Government (S)**

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**SB0231 Paraphrase:** SB0231, by Sen. Nathan Dahm, R-Broken Arrow and Rep. Bobby



Cleveland, R-Slaughterville, repeals language statutory language related to the School Health Coordinators Pilot Program.

**Effective Date:** 11/01/2017 **Emergency:** No

**Principal Authors:** Dahm, Nathan (S); Cleveland, Bobby (H)

**Status:** H Introduced **Status Date:** 03/08/2017

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**SB0595 Paraphrase:** SB0595, by Sen. Darcy Jech, R-Kingfisher and Rep. Kyle Hilbert, R-



Depew, creates the Farmers Market Liability Limitation Act and defines related terms. The bill provides that any participant assumes the inherent risk of attending,

buying or selling goods at a farmers market registered with the Oklahoma Department of Agriculture, Food, and Forestry. It allows the farmers market operator to plead an affirmative defense of assumption of risk by the participant if a participant brings an action for damages arising from the operation of a registered farmers market. The bill requires any limitation on legal liability afforded to a registered farmers market operator be in addition to any other limitation of legal liability otherwise provided by law. It provides instances for limited liability.

**Effective Date:** 11/01/2017 **Emergency:** No

**Principal Authors:** Jech, Darcy (S); Hilbert, Kyle (H)

**Status:** H Introduced **Status Date:** 02/27/2017

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## General Counsel



11 Bills On Report

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**HB1549 Paraphrase:** HB1549, by Rep. George Faught, R-Muskogee and Sen. Nathan



Dahm, R-Broken Arrow, creates the Prenatal Nondiscrimination Act of 2017. The bill defines terms. It prohibits any person from intentionally performing an abortion with knowledge that the pregnant woman is seeking the abortion solely because the unborn child has been diagnosed with Down syndrome, a genetic abnormality or the potential for either. It prescribes a violation and accompanying fees or punishments for physicians or other persons found in violation of the provisions therein. It allows minors to commence civil action for any knowing or reckless violation of said provisions. It provides for damages in such cases. It requires that the anonymity of any female upon an abortion is performed or attempted by preserved until consent is provided. It exempts any woman upon whom an abortion in violation is performed or attempted. It affords such women all rights, protections and notifications afforded to crime victims under the Oklahoma Victim's Rights Act. It provides for construction and severability. (Amended by House, Committee Substitute)


**Effective Date:** 11/01/2017 **Emergency:** No

**Principal Authors:** Faught, George (H); Dahm, Nathan (S)

**Status:** Second Reading - Referred to Senate Committee **Status Date:** 03/24/2017

## Committee(1): S Health & Human Services (S)

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**HB1552 Paraphrase:** HB1552, by Rep. George Faught, R-Muskogee and Sen. David Holt,  R-Oklahoma City, requires approval by joint resolution of any proposed rule which modifies the scope of practice of any occupation contained within Title 5, provided the resolution becomes law in accordance with Section 11 of Article VI of the Oklahoma Constitution. It provides the rule will be deemed disapproved if the Legislature fails to approve the rule on or before the last day of the legislative session. It exempts any proposed rule that modifies the scope of practice from the other procedures governing legislative approval of administrative rules.


**Effective Date:** 11/01/2017 **Emergency:** No

**Principal Authors:** Faught, George (H); Holt, David (S)

**Status:** Second Reading - Referred to Senate Committee **Status Date:** 03/14/2017

**Committee(1): S General Government (S)**

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**HB1553 Paraphrase:** HB1553, by Rep. George Faught, R-Muskogee and Sen. Anthony Sykes,  R-Moore, requires approval by joint resolution of any proposed rule that increases fees, provided the resolution becomes law in accordance with Section 11 of Article VI of the Oklahoma Constitution. It provides the rule will be deemed disapproved if the Legislature fails to approve the rule on or before the last day of the legislative session. It exempts any proposed rule that modifies the scope of practice from the other procedures governing legislative approval of administrative rules.


**Effective Date:** 11/01/2017 **Emergency:** No

**Principal Authors:** Faught, George (H); Sykes, Anthony (S)

**Status:** Second Reading - Referred to Senate Committee **Status Date:** 03/14/2017

**Committee(1): S General Government (S)**

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**HB1559 Paraphrase:** HB1559, by Rep. Jon Echols, R-Oklahoma City and Sen. Ervin Yen,  R-Oklahoma City, adds any federal Food and Drug Administration-approved cannabidiol drug or substance to the definition of the term "Marihuana." (Amended by House)

**Effective Date:** 11/01/2017 **Emergency:** No

**Principal Authors:** Echols, Jon (H); Yen, Ervin (S)

**Status:** Second Reading - Referred to Senate Committee **Status Date:** 03/24/2017

## Committee(1): S Health & Human Services (S)

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**HB1669 Paraphrase:** HB1669, by Rep. Todd Thomsen, R-Ada and Sen. Greg McCortney, R-Ada, authorizes the use of cannabidiol for treatment of Parkinson's Disease.



**Effective Date:** 11/01/2017 **Emergency:** No

**Principal Authors:** Thomsen, Todd (H); McCortney, Greg (S)

**Status:** Second Reading - Referred to Senate Committee **Status Date:** 03/24/2017

**Committee(1): S Health & Human Services (S)**

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**HB1894 Paraphrase:** HB1894, by Rep. Kevin Calvey, R-Oklahoma City and Sen. Anthony Sykes, R-Moore, modifies the definition of "person legally authorized to make health care decisions" within the Nondiscrimination in Treatment Act. The bill authorizes those reasonably available and willing to make health care decisions for an adult patient or patient under 18 years of age who has consented to have services provided by health professionals but is otherwise persistently unconscious, incompetent or otherwise mentally or physically incapable of communicating under the same standard as that applicable to making life-sustaining treatment decisions. It also establishes procedures for permitting health care provider or class member to petition a court for jurisdiction over a guardianship proceeding concerning the patient. The bill prohibits an individual who has been found to have committee abuse, verbal abuse or exploitation from making case decisions for an incapacitated person. (Amended by House, Committee Substitute)



**Effective Date:** 11/01/2017 **Emergency:** No

**Principal Authors:** Calvey, Kevin (H); Sykes, Anthony (S)

**Status:** Second Reading - Referred to Senate Committee **Status Date:** 03/24/2017

**Committee(1): S Judiciary (S)**

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**HB1944 Paraphrase:** HB1944, by Rep. John Jordan, R-Yukon and Sen. Nathan Dahm, R-Broken Arrow, modifies definitions within the Administrative Procedures Act. It gives the Governor the authority to approve or disapprove agency rules. It allows the him or her 45 calendar days from receipt of a rule to approve or disapprove the rule and establishes a notification process to state agencies of the approval or disapproval of rules. It adds that rules not approved by the Governor will not become effective unless otherwise approved by the Legislature by joint resolution. It also establishes a process by which the Legislature may approve an agency rule



by joint resolution.

**Effective Date:** 11/01/2017 **Emergency:** No

**Principal Authors:** Jordan, John (H); Dahm, Nathan (S)

**Status:** Second Reading - Referred to Senate Committee **Status Date:** 03/24/2017

**Committee(1):** **S General Government (S)**

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**SB0030 Paraphrase:** SB0030, by Sen. A J Griffin, R-Guthrie and Rep. Tammy West, R-



Bethany, requires any facility in which abortions, other than abortions necessary to prevent the death of the mother, are performed, induced, prescribed for, or where the means for the procedure are provided to post specified signage. It provides for the requirements of said signage's formatting and placement. It requires the State Health Department to only utilize funds specifically set aside for the provisions therein. It requires the Department to use its official, online social media platforms to promote the unique URL specified therein. It requires the Department to promulgate necessary rules. (Amended by Senate, Emergency Measure, Committee Substitute)

**Effective Date:** 07/01/2017 **Emergency:** Yes

**Principal Authors:** Griffin, A J (S); West, Tammy (H)

**Status:** H Introduced **Status Date:** 03/15/2017

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**SB0191 Paraphrase:** SB0191, by Sen. Roger Thompson, R-Okemah and Rep. David



Brumbaugh, R-Broken Arrow, requires a delay in providing access to records under the Open Records Act be limited solely to the time required for preparing the requested documents and the avoidance of excessive disruptions of the public body's essential functions. It provides that a current request for records cannot be unreasonably delayed until after completion of a prior records request that will take substantially longer than the current request.

**Effective Date:** 11/01/2017 **Emergency:** No

**Principal Authors:** Thompson, Roger (S); Brumbaugh, David (H)

**Status:** H Introduced **Status Date:** 03/13/2017

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**SB0697 Paraphrase:** SB0697, by Sen. Anthony Sykes, R-Moore and Rep. George Faught,



R-Muskogee, all rulemaking authority delegated by the Legislature to executive branch agencies be used only to implement law or policy as set by the Legislature. It requires all administrative rules, including those already in existence, to include a specific reference to the statutory provision that delegates the authority for promulgation of such rule within three years.



**Effective Date:** // **Emergency:** No

**Principal Authors:** Sykes, Anthony (S); Faught, George (H)

**Status:** H Introduced **Status Date:** 03/13/2017

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**SB0745 Paraphrase:** SB0745, by Sen. Ervin Yen, R-Oklahoma City and Rep. Jon Echols,



R-Oklahoma City, modifies the definition of the term "marihuana." It allows a statewide investigation new drug application to be established in the state if approved by the United States Food and Drug Administration for the purposes of conducting clinical trials using marihuana for qualifying patients. It allows any physician licensed through the State Board of Medical Licensure and Supervision or the State Board of Osteopathic Examiners with qualifying patients to serve as the principal investigator in clinical trials if provided criteria is met. It establishes authority and responsibilities of the principal investigator. It establishes procedures by which to acquire marihuana for said trials. It establishes procedures by which to conduct said trials and how they may also be terminated. It requires the submission of a report by the State Commissioner on Health as well as the criteria for said report and who all a copy must be sent. It requires the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control, the State Board of Health and the Oklahoma State Regents for Higher Education to promulgate rules. (Amended by Senate, Committee Substitute)

**Effective Date:** 11/01/2017 **Emergency:** No

**Principal Authors:** Yen, Ervin (S); Echols, Jon (H)

**Status:** H Introduced **Status Date:** 03/23/2017

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## Operations



13 Bills On Report

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**HB1444 Paraphrase:** HB1444, by Rep. Dustin Roberts, R-Durant and Sen. Ron Sharp, R-



Shawnee, designates Good Friday and the Friday before Easter as state holidays.

**Effective Date:** 11/01/2017 **Emergency:** No

**Principal Authors:** Roberts, Dustin (H); Sharp, Ron (S)

**Status:** Second Reading - Referred to Senate Committee **Status Date:** 03/24/2017

## Committee(1): S Appropriations (S)

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**HB1495 Paraphrase:** HB1495, by Rep. Travis Dunlap, R-Bartlesville and Sen. Dan Newberry, R-Tulsa, creates the Death Certificate Accuracy Act. It requires a certifier completing cause of death on a certificate to indicate that a legal drug, overdose or suicide was the cause of death. It requires an individual to indicate if suicide was the manner of death. The bill deems an individual who knowingly omits to list a lethal agent or improperly states a manner of death to have engaged in unprofessional conduct.

**Effective Date:** 11/01/2017 **Emergency:** No

**Principal Authors:** Dunlap, Travis (H); Newberry, Dan (S)

**Status:** Second Reading - Referred to Senate Committee **Status Date:** 03/20/2017

**Committee(1): S Health & Human Services (S)**

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**HB1555 Paraphrase:** HB1555, by Rep. George Faught, R-Muskogee and Sen. Marty Quinn, R-Claremore, transfers the State Employee Assistance Program from the Office of Management and Enterprise Services to the Department of Mental Health and Substance Abuse Services. (Emergency Measure)

**Effective Date:** 07/01/2017 **Emergency:** Yes

**Principal Authors:** Faught, George (H); Quinn, Marty (S)

**Status:** Second Reading - Referred to Senate Committee **Status Date:** 03/24/2017

**Committee(1): S Appropriations (S)**

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**HB1868 Paraphrase:** HB1868, by Rep. Jason Dunnington, D-Oklahoma City and Sen. Roger Thompson, R-Okemah, requires any state employee earning less than \$30,000 annually to receive overtime pay, instead of compensatory time, for all hours worked over 40 hours a week beginning November 1, 2017. It requires any state employee earning less than \$35,000 annually to also receive overtime pay, instead of compensatory time, for all hours worked over 40 hours a week beginning January 1, 2018 and all employees earning \$40,000 annually will also receive overtime pay for all hours worked over 40 hours a week beginning January 1, 2019. (Amended by House, Stricken Title, Committee Substitute)

**Effective Date:** 11/01/2017 **Emergency:** No

**Principal Authors:** Dunnington, Jason (H); Thompson, Roger (S)

**Status:** S Introduced **Status Date:** 03/23/2017

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**HB1887 Paraphrase:** HB1887, by Rep. Pat Ownbey, R-Ardmore and Sen. A J Griffin, R-Guthrie, decreases the length of time a minor has to live in a prospective adoptive home in order for medical and social history records to be disclosed.  
**Effective Date:** 11/01/2017 **Emergency:** No  
**Principal Authors:** Ownbey, Pat (H); Griffin, A J (S)  
**Status:** Second Reading - Referred to Senate Committee **Status Date:** 03/20/2017  
**Committee(1): S Health & Human Services (S)**

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**HB1912 Paraphrase:** HB1912, by Rep. Roger Ford, R-Midwest City and Sen. Chris Kidd, R-Addington, modifies the provisions of receiving a disinterment permit. It requires the permit to be had before disinterment and reinternment of a dead body or fetus. It requires the application for a disinterment to include consent from the next of kin; other than the case of a medical legal in which the State Medical Examiner still retains his or her rights. It also accounts for a judge's order for said remains. It removes the rights of cemeteries to disapprove a disinterment. The bill excludes permits from being required for fetuses which will be disinterred and reinterred in the same cemetery. It requires forms to be obtained from the State Registrar of Vital Records. (Amended by House, Committee Substitute)  
**Effective Date:** 11/01/2017 **Emergency:** No  
**Principal Authors:** Ford, Roger (H); Kidd, Chris (S)  
**Status:** Second Reading - Referred to Senate Committee **Status Date:** 03/24/2017  
**Committee(1): S Health & Human Services (S)**

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**HB1942 Paraphrase:** HB1942, by Rep. John Jordan, R-Yukon and Sen. Nathan Dahm, R-Broken Arrow, requires all state agencies to include their financial reporting a description of the amount of federal funding received for any program the agency participates in, the requirements of the program and the amount of expenditures spent to meet the requirements of the program.  
**Effective Date:** 11/01/2017 **Emergency:** No  
**Principal Authors:** Jordan, John (H); Dahm, Nathan (S)  
**Status:** Second Reading - Referred to Senate Committee **Status Date:** 03/24/2017  
**Committee(1): S Appropriations (S)**

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**SB0207 Paraphrase:** SB0207, by Sen. Stephanie Bice, R-Oklahoma City and Rep. Leslie Osborn, R-Mustang, requires the Office of the Chief Medical Examiner to redact all

cause of death information before making autopsy reports available to media outlets and persons without a demonstrable family relation to the deceased.

(Amended by Senate, Stricken Title, Committee Substitute)

**Effective Date:** 11/01/2017 **Emergency:** No

**Principal Authors:** Bice, Stephanie (S); Osborn, Leslie (H)

**Status:** H Introduced **Status Date:** 03/24/2017

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**SB0258 Paraphrase:** SB0258, by Sen. Mark Allen, R-Spiro and Rep. Jason Murphey, R-



Guthrie, requires an awarding public agency to provide written documentation to the President Pro Tempore of the Senate and the Speaker of the House of Representatives detailing the reason for its action under the Public Competitive Bidding Act of 1974. It requires the information be provided within 30 days of the contract's award. (Amended by Senate, Stricken Title)

**Effective Date:** 11/01/2017 **Emergency:** No

**Principal Authors:** Allen, Mark (S); Murphey, Jason (H)

**Status:** H Introduced **Status Date:** 03/08/2017

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**SB0321 Paraphrase:** SB0321, by Sen. Marty Quinn, R-Claremore and Rep. Avery Frix, R-



Muskogee, increases from 20 to 21 the number of days prior to the date set for opening bids that notice of all proposals to award public construction contracts must be published in a newspaper of general publication.

**Effective Date:** 11/01/2017 **Emergency:** No

**Principal Authors:** Quinn, Marty (S); Frix, Avery (H)

**Status:** H Introduced **Status Date:** 03/20/2017

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**SB0435 Paraphrase:** SB0435, by Sen. John Sparks, D-Norman and Rep. Emily Virgin, D-



Norman, requires appropriated state agencies to develop an annually update an 8-year plan of action providing detailed estimates of expenditures. It requires the plan to provide an estimate of changes in the number of clients, individuals or entities to be served over the 8-year time period. (Amended by Senate, Stricken Title)

**Effective Date:** 11/01/2017 **Emergency:** No

**Principal Authors:** Sparks, John (S); Virgin, Emily (H)

**Status:** H Introduced **Status Date:** 03/23/2017

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**SB0549 Paraphrase:** SB0549, by Sen. David Holt, R-Oklahoma City and Rep. Tammy



West, R-Bethany, prohibits an employment practice from refusing leave not

exceeding 20 weeks to a state employee affected by childbirth or related medical condition or adoption or foster placement. It allows the employee to utilize accrued paid leave during this time. The bill recognizes the federal Family and Medical Leave Act. It allows a state employer to require reasonable notice for such leave. It provides for violation enforcement. (Amended by Senate)

**Effective Date:** 11/01/2017 **Emergency:** No

**Principal Authors:** Holt, David (S); West, Tammy (H)

**Status:** H Introduced **Status Date:** 03/21/2017

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**SB0799 Paraphrase:** SB0799, by Sen. Anthony Sykes, R-Moore and Rep. Chris Kannady,



R-Oklahoma City, authorizes an agency, board, commission or other entity of state government to adopt policies permitting employees to use accrued leave for the purposes of physical fitness and wellness. The bill establishes eligibility criteria and limitations and directs the Director of the Office of Management and Enterprise Services to promulgate necessary rules.

**Effective Date:** // **Emergency:** No

**Principal Authors:** Sykes, Anthony (S); Kannady, Chris (H)

**Status:** H Introduced **Status Date:** 03/23/2017

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## OSDH Office and State and Federal Policy



18 Bills On Report

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**HB1433 Paraphrase:** HB1433, by Rep. Jason Murphey, R-Guthrie and Sen. Paul Scott, R-



Duncan, prohibits the Oklahoma State Board of Examiners for Long-Term Care Administrators from requiring a two-year degree or proof of a passing score on the National Association of Long Term Care Administrator Boards Exam or Board-certified internship in future licensing or certification requirements. (Amended by House, Committee Substitute)

**Effective Date:** 11/01/2017 **Emergency:** No

**Principal Authors:** Murphey, Jason (H); Scott, Paul (S)

**Status:** Second Reading - Referred to Senate Committee **Status Date:** 03/24/2017

## Committee(1): S Health & Human Services (S)

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**HB1553 Paraphrase:** HB1553, by Rep. George Faught, R-Muskogee and Sen. Anthony



Sykes, R-Moore, requires approval by joint resolution of any proposed rule that increases fees, provided the resolution becomes law in accordance with Section 11 of Article VI of the Oklahoma Constitution. It provides the rule will be deemed disapproved if the Legislature fails to approve the rule on or before the last day of the legislative session. It exempts any proposed rule that modifies the scope of practice from the other procedures governing legislative approval of administrative rules.

**Effective Date:** 11/01/2017 **Emergency:** No

**Principal Authors:** Faught, George (H); Sykes, Anthony (S)

**Status:** Second Reading - Referred to Senate Committee **Status Date:** 03/14/2017

**Committee(1): S General Government (S)**

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**HB1690 Paraphrase:** HB1690, by Rep. Casey Murdock, R-Felt and Sen. James Leewright,



R-Bristow, requires the 20 top appropriated agencies to be audited in an independent comprehensive performance audit invested in by the Legislative Service Bureau. It requires the audit to fulfill certain mandates. It allows the Bureau to contract with an outside firm or the State Auditor and Inspector's Office. It requires the audit to be conducted when the agency head leaves the agency and requires the report to be given to certain members of the Legislature. (Amended by House, Emergency Measure, Committee Substitute)

**Effective Date:** 11/01/2017 **Emergency:** No

**Principal Authors:** Murdock, Casey (H); Leewright, James (S)

**Status:** S Introduced **Status Date:** 03/22/2017

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**HB1703 Paraphrase:** HB1703, by Rep. Kevin Calvey, R-Oklahoma City and Sen. Greg



Treat, R-Oklahoma City, creates the Choosing Childbirth Act which requires the State Department of Health to make grants to a grant-supervising entity for the purpose of reimbursing private organizations in Oklahoma for the expense of programs providing nonprofit, pro-life organizations. It requires the Department to monitor the organizations to ensure grant money is spent in certain ways. It requires the Act to be implemented when funds become available. (Amended by House, Committee Substitute)

**Effective Date:** 11/01/2017 **Emergency:** No

**Principal Authors:** Calvey, Kevin (H); Treat, Greg (S)



**Status:** Second Reading - Referred to Senate Committee **Status Date:**

03/24/2017

**Committee(1): S Health & Human Services (S)**

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**HB2039 Paraphrase:** HB2039, by Rep. Kevin Wallace, R-Wellston and Sen. Robert



Standridge, R-Norman, HB2039 allows a pharmacist or employee of a pharmacy to receive a prescription or deliver a legally filled prescription to a facility where medical care or pharmacy services are received by a patient. It requires the Board of Pharmacy to promulgate rules. It modifies definitions used therein. It allows naloxone to be prescribed and dispensed by a licensed pharmacist unless otherwise provided. It requires no dispensing protocol be required. (Amended by House, Committee Substitute)

**Effective Date:** 11/01/2017 **Emergency:** No

**Principal Authors:** Wallace, Kevin (H); Standridge, Robert (S)

**Status:** Second Reading - Referred to Senate Committee **Status Date:**

03/24/2017

**Committee(1): S Health & Human Services (S)**

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**HB2237 Paraphrase:** HB2237, by Rep. Glen Mulready, R-Tulsa and Sen. Greg Treat, R-



Oklahoma City, changes all references of the State and Education Employees Group Insurance Act to the Oklahoma Employees Insurance and Benefits Act. It modifies the duties of the Office of Management and Enterprise Services. It allows OMES to contract with one or more third-party vendors for purposes of offering alternative medical plans for consideration by participants. It stipulates the requirements of the plan. (Amended by House, Committee Substitute)

**Effective Date:** 11/01/2017 **Emergency:** No

**Principal Authors:** Mulready, Glen (H); Treat, Greg (S)

**Status:** S Introduced **Status Date:** 03/23/2017

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**HB2316 Paraphrase:** HB2316, by Rep. Charles McCall, R-Atoka and Sen. Mike Schulz, R-



Altus, creates the State Government Entities Act. (Amended by House, Committee Substitute)

**Effective Date:** 11/01/2017 **Emergency:** No

**Principal Authors:** McCall, Charles (H); Schulz, Mike (S)

**Status:** Second Reading - Referred to Senate Committee **Status Date:**

03/24/2017

**Committee(1): S Rules (S)**

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**HB2339 Paraphrase:** HB2339, by Rep. Mike Ritze, R-Broken Arrow and Sen. Ervin Yen,



R-Oklahoma City, requires the investigators for the State Board of Medical Licensure and Supervision to perform such services as are necessary in the investigation of criminal activity or preparation of administrative actions. It modifies the definition to unprofessional conduct as used therein. It requires any licensee subject to the provisions of the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act to be deemed to have given consent to a duly authorized investigator of the Board to access provided information. It provides said investigators' authority and jurisdiction. The bill modifies provisions related to the Allied Professional Peer Assistance Program. It allows the contract with outside entities for services that are not available to it or can be obtained for a lesser cost through such a contract. It requires the contract to be ratified by the Board.

(Amended by House, Committee Substitute)

**Effective Date:** 11/01/2017 **Emergency:** No

**Principal Authors:** Ritze, Mike (H); Yen, Ervin (S)

**Status:** Second Reading - Referred to Senate Committee **Status Date:** 03/24/2017

**Committee(1):** S Health & Human Services (S)

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**SB0144 Paraphrase:** SB0144, by Sen. Jason Smalley, R-Stroud and Rep. Scott Martin, R-



Norman, broadens eligibility for the Physician Manpower Training Commission, now accounting for physician assistants and nurse practitioners. It eliminates outdated language. It requires the Commission to promulgate rules. (Amended by Senate, Stricken Title)

**Effective Date:** 11/01/2017 **Emergency:** No

**Principal Authors:** Smalley, Jason (S); Martin, Scott (H)

**Status:** H Introduced **Status Date:** 03/08/2017

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**SB0506 Paraphrase:** SB0506, by Sen. Stephanie Bice, R-Oklahoma City and Rep. John



Pfeiffer, R-Mulhall, creates the Healthy Food Financing Act. It specifies the intent of the Legislature that funding provided to eligible entities will expand and stimulate economic activity in low-income and underserved areas. It defines terms used therein. It creates the Health Food Financing Revolving Fund. It specifies the uses for the fund. It provides for deposits into the fund. It directs the Oklahoma Department of Agriculture, Food, and Forestry to administer program. It requires the State Board of Agriculture to promulgate rules. It requires an annual report by the Department to the Legislature on projects funded, the geographic distribution of the projects, the costs of the program, and the outcomes, including the number



and type of jobs created and health initiatives associated with the program.

(Amended by Senate, Stricken Title, Committee Substitute)

**Effective Date:** 11/01/2017 **Emergency:** No

**Principal Authors:** Bice, Stephanie (S); Pfeiffer, John (H)

**Status:** H Introduced **Status Date:** 03/23/2017

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**SB0652 Paraphrase:** SB0652, by Sen. Anastasia Pittman, D-Oklahoma City and Rep.



George Young, D-Oklahoma City, requires the Secretary of Health and Human Services to apply for grant funding from the U.S. Department of Health and Human Services for the purposes of identifying health disparities related to sickle cell disease; assessing the utilization of therapies and strategies to prevent complications related to sickle cell disease; and other purposes permitted by federal laws and regulations. It requires the State Board of Health to promulgate necessary rules. (Amended by Senate, Stricken Title)

**Effective Date:** 11/01/2017 **Emergency:** No

**Principal Authors:** Pittman, Anastasia (S); Young, George (H)

**Status:** H Introduced **Status Date:** 03/21/2017

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**SB0726 Paraphrase:** SB0726, by Sen. A J Griffin, R-Guthrie and Rep. Glen Mulready, R-



Tulsa, allows a valid physician-patient relationship to be established by a physician with a patient located in Oklahoma via telemedicine, a process by which patient care, treatment or service are provided through the use of medical information exchanged from one site to another through electronic communication under provided criteria and conditions. It clarifies such practices may take place unless otherwise prohibited by law. (Amended by Senate, Stricken Title, Committee Substitute)

**Effective Date:** 11/01/2017 **Emergency:** No

**Principal Authors:** Griffin, A J (S); Mulready, Glen (H)

**Status:** S Engrossed **Status Date:** 03/23/2017

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**SB0730 Paraphrase:** SB0730, by Sen. Frank Simpson, R-Ardmore and Rep. Pat Ownbey,



R-Ardmore, removes the requirement that Veterans Centers be non-smoking by Jan. 1, 2018.

**Effective Date:** 11/01/2017 **Emergency:** No

**Principal Authors:** Simpson, Frank (S); Ownbey, Pat (H)

**Status:** H Introduced **Status Date:** 03/20/2017

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**SB0741 Paraphrase:** SB0741, by Sen. Adam Pugh, R-Edmond and Rep. Tammy West, R-



Bethany, requires the State Department of Health, subject to the availability of funds, to develop and administer a program with the Oklahoma Health Care Authority that will encourage the timely and appropriate use of primary care services in lieu of emergency room utilization. It permits the Oklahoma Health Care Authority and the State Department of Health to collaborate with city-county and county health departments and other relevant stakeholders in the development of the program. It modifies the program components. (Amended by Senate, Stricken Title)

**Effective Date:** 11/01/2017 **Emergency:** No

**Principal Authors:** Pugh, Adam (S); West, Tammy (H)

**Status:** H Introduced **Status Date:** 03/14/2017

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**SB0757 Paraphrase:** SB0757, by Sen. Darcy Jech, R-Kingfisher and Rep. Harold Wright,



R-Weatherford, requires, beginning with the quarter ending September 30, 2018, and at least annually thereafter, each hospital, general medical surgical hospital, specialized hospital, critical access hospital and emergency hospital to provide to the State Department of Health, utilizing electronic health records software, information on the one hundred most common medical procedures and the fifty most common imaging procedures, by volume, along with the related CPT and HCPCS codes and to provide to the Department, utilizing electronic health records software, the average dollar amount the hospital or ambulatory surgical center bills to private insurers for each procedure and the average amount the hospital or ambulatory surgical center receives in reimbursement from private insurers for each procedure specified in statute. It requires hospitals and ambulatory surgical centers to provide the information in writing to an individual or the individual's legal guardian upon request. It requires hospitals and ambulatory surgical centers to inform patients of their right to obtain the information at the earliest reasonable and practicable time after being admitted to the hospital or ambulatory surgical center. It establishes that providing the information required will not be construed as an invoice, contract or any other contractual agreement between the facility providing the information and the individual receiving the information. It requires the State Board of Health to promulgate necessary rules. (Amended by Senate)

**Effective Date:** 11/01/2017 **Emergency:** No

**Principal Authors:** Jech, Darcy (S); Wright, Harold (H)

**Status:** H Introduced **Status Date:** 03/09/2017

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**SB0774 Paraphrase:** SB0774, by Sen. Kimberly David, R-Porter and Rep. Chad Caldwell,



R-Enid, modifies the fee for an application for a license, or renewal thereof, to establish or operate a residential care home, changing it from \$50 to an amount established by the State Board of Health by rule, provided such fee does not exceed \$10 per bed or \$500. It requires all residential care homes to have or employ a licensed administrator for the home, replacing the requirement for the homes to have or employ a certified administrator for the home. The bill also requires each home that proposes new construction or major alteration to submit construction plans to the Department for review prior to the start of construction. It permits the Department to assess a fee for the review in an amount not more than 0.15 percent of \$25,000, whichever is less, per project of the total construction cost of the facility or modification. It requires the State Board of Health to promulgate rules for submission and resubmission of construction plans to ensure the timely review. It reduces the number of times residential care homes must be inspected from three times annually to one time annually. It eliminates the requirement that the inspections be unannounced and permits the inspections to be unannounced. It also eliminates the requirement that one person be invited from a statewide organization of the elderly or disabled by the Department to act as a citizen observer in any inspection and changes it to permits one person be invited from a statewide organization of the elderly or disabled by the Department to act as a citizen observer in any inspection. (Amended by Senate, Stricken Title, Committee Substitute)

**Effective Date:** 11/01/2017 **Emergency:** No

**Principal Authors:** David, Kimberly (S); Caldwell, Chad (H)

**Status:** H Introduced **Status Date:** 03/20/2017

**SB0806 Paraphrase:** SB0806, by Sen. John Sparks, D-Norman and Rep. Carol Bush, R-



Tulsa, provides nutrition standards for all licensed child care facilities and eliminates screen time for children less than two years of age with the exception of special occasions. (Amended by Senate, Stricken Title)

**Effective Date:** 11/01/2017 **Emergency:** No

**Principal Authors:** Sparks, John (S); Bush, Carol (H)

**Status:** H Introduced **Status Date:** 03/22/2017

**SCR0005 Paraphrase:** SCR0005, by Sen. Kimberly David, R-Porter and Rep. Glen



Mulready, R-Tulsa, requests that the Oklahoma Health Care Authority (OHCA) cancel the Request for Proposals for care coordination models for the aged, blind and disabled populations issued Nov. 30, 2016. It also requests OHCA work with the Centers for Medicare and Medicaid Services to resolve any questions about

the long-term viability of supplemental payments and/or pass-through payments for health care providers including, but not limited to, hospitals, nursing homes, physicians and medical schools, under a care coordination model. The resolution also requests OHCA work with the Centers for Medicare and Medicaid Services to ensure the rates for care coordination are actuarially sound. It asks that the authority reissue a Request for Proposals by May 1.

**Effective Date:** / / **Emergency:** No

**Principal Authors:** David, Kimberly (S); Mulready, Glen (H)

**Status:** S Introduced **Status Date:** 02/28/2017

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## Prevention and Preparedness Services



### 4 Bills On Report

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**HB2273 Paraphrase:** HB2273, by Rep. Terry O'Donnell, R-Catoosa and Sen. Greg Treat,



R-Oklahoma City, prohibits any reproductive tissues from being procured for donation purposes from any person testing positive for the human immunodeficiency virus (HIV) infection. It allows organs and tissues to be procured for donation purposes from any person testing positive for HIV infection, provided such procurement and donation are consistent with the HIV Organ Policy Equity and the regulations promulgated by the Organ Procurement and Transplantation Network and the United States Food and Drug Administration. It clarifies language.

**Effective Date:** 11/01/2017 **Emergency:** No

**Principal Authors:** O'Donnell, Terry (H); Treat, Greg (S)

**Status:** Second Reading - Referred to Senate Committee **Status Date:** 03/24/2017

**Committee(1):** S Health & Human Services (S)

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**SB0246 Paraphrase:** SB0246, by Sen. Anastasia Pittman, D-Oklahoma City and Rep.



Cyndi Munson, D-Oklahoma City, modifies terms and definitions related to AIDS prevention education. The bill modifies the type of prevention education to be in

schools by adding an emphasis on modes of transmission, prevention methods, virology and relevant statistics. It directs the State Department of Education to develop or provide medically accurate resources for HIV/AIDS prevention education in conjunction with the State Department of Health and requires approval of such materials by the State Department of Health at least every two years. The bill also states that HIV/AIDS prevention education should teach students that participating in high-risk sexual activity, injection drug use or contact with contaminated blood products is known to be the primary means for the transmission and contraction of HIV. It removes references to engaging in homosexual activity as a primary means of contraction. (Amended by Senate)

**Effective Date:** // **Emergency:** No

**Principal Authors:** Pittman, Anastasia (S); Munson, Cyndi (H)

**Status:** H Introduced **Status Date:** 03/20/2017

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**SB0725 Paraphrase:** SB0725, by Sen. A J Griffin, R-Guthrie and Rep. Chad Caldwell, R-



Enid, requires each school district to report the number and type of exemptions from vaccinations to the State Department of Health on or before July 1st of each year and to include information from the most recently completed school year. It requires the State Department of Education and the State Department of Health to promulgate necessary rules. (Amended by Senate, Stricken Title)

**Effective Date:** // **Emergency:** No

**Principal Authors:** Griffin, A J (S); Caldwell, Chad (H)

**Status:** H Introduced **Status Date:** 03/23/2017

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**SB0752 Paraphrase:** SB0752, by Sen. Greg Treat, R-Oklahoma City and Rep. Terry



O'Donnell, R-Catoosa, changes human sperm, tissue or organ to reproductive tissue that cannot be procured for donation purposes from any person testing positive for the human immunodeficiency virus infection. It permits organ and tissue to be procured for donation purposes from any person testing positive for the human immunodeficiency virus (HIV) infection when such procurement and donation are consistent with the HIV Organ Policy Equity (HOPE) Act (P.L. 113-51, 127 Stat. 579 (2013)) and the promulgated regulations of the Organ Procurement and Transplantation Network and the United States Food and Drug Administration.

**Effective Date:** 11/01/2017 **Emergency:** No

**Principal Authors:** Treat, Greg (S); O'Donnell, Terry (H)

**Status:** H Introduced **Status Date:** 03/22/2017

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# Protective Health Services



## 17 Bills On Report

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**HB1462 Paraphrase:** HB1462, by Rep. Jon Echols, R-Oklahoma City and Sen. Anthony



Sykes, R-Moore, modifies the definition of the term "permanent partial disability." It defines the term "total loss of use." It removes certain definition. It includes language relating to preexisting conditions and defines related terms. The bill deletes the definition of consequential injury and modifies the definition of disability and includes the definition to impairment. It provides if an employee makes claim for an injury in another jurisdiction and a final adjudication is entered in the case, the employee is precluded from his or her right of action under the Administrative Workers' Compensation Act or if the employee brings an action in this state prior to a final adjudication in another jurisdiction, any receipt of benefits in the other jurisdiction will not bar the action in this state, provided in no event will the Workers' Compensation Commission grant benefits that duplicate those paid by the employer or insurance carrier in the other jurisdiction. It provides that the State of Oklahoma accepts the provisions of the Acts of Congress designated as 40 U.S.C., Section 3172, formerly 40 U.S.C., Section 290, and extends the territorial jurisdiction of the Administrative Workers' Compensation Act to all lands and premises within the exterior boundaries of this state which the Government of the United States of America owns or holds by deed or act of cession, and to all purchases, projects, buildings, constructions, improvements and property within the exterior boundaries of this state belonging to the Government of the United States of America, in the same way and to the same extent as if the premises were under the exclusive jurisdiction of this state, subject only to the limitations placed thereon by the Acts of Congress. It updates certain date references. It removes language relating to examining physicians. It modifies duties of the Workers' Compensation Commission. It provides an employer will be liable for reasonable compensatory damages suffered by an employee as a result of a violation when a district court of this state determines that an employer discriminated or retaliated against an employee seeking workers compensation benefits. It requires the employee to have the burden of proof to show the violation by a preponderance of the evidence. It limits awards to \$100,000. It permits certain notices by sending by

facsimile, electronic mail or other electronic means with confirmation of receipt. It removes the authority to the commission to appoint a special commissioner in certain circumstances. It states the commission does not have the power to determine the constitutionality of provisions of the act. It requires the commission to with the Administrative Procedures Act and removes special procedures for administrative rules. It permits anyone not required to be covered under a workers' compensation insurance policy other plan for payment of workers' compensation to execute an Affidavit of Exempt Status under the Administrative Workers' Compensation Act. It provides that execution of the affidavit establishes a rebuttable presumption that the executor is not an employee for purposes of the Administrative Workers' Compensation Act and not be eligible to seek workers' compensation benefits against any contractor. It provides that execution of the affidavit does not affect the rights or coverage of any employee of the individual executing the affidavit. It provides that the lack of an executed affidavit will not prejudice any defense by an employer to a claim for workers' compensation benefits. It makes certain acts unlawful and sets punishment. It establishes requirements for the affidavit and related fees. The bill removes the requirement that rules must be approved by the Insurance Department concerning employers' satisfactory proof of their ability to pay claims and makes the rules the responsibility of the Workers' Compensation Commission. The bill reduces the number of consecutive medical treatment appointments an injured worker can miss, which allows the employer to terminate temporary total disability benefits. The bill provides the injured employee's actual earnings plus temporary partial disability shall not exceed the temporary total disability rate. It removes language related to the deferral of permanent partial disability awards. It moves language establishing the calculation for the partial disability rate of compensation for amputation or permanent total loss of use of a scheduled member. The bill permits the employer, in the employer's identification of a potential replacement treating physician, to identify physicians within the same practice, facility or hospital as the treating physician with the only requirement for the list of three physicians is that they be licensed and accredited to perform the necessary treatment. It reduces the number of days in which an employee must notify an employer that an injury occurred from 30 days to 15 days and provides that in no event will compensation be allowed if notice is not given within 120 days after the date of the injury. It permits the commission chair to appoint an administrative law judge to the en banc panel when any commissioner of the commission is disqualified for any reason, to fill a vacancy, or in the absence of a commissioner, provided, the appointed administrative law judge shall not have presided over any of the previous hearings



on the claim. It requires payment for any prescription drugs prescribed by the treating physician to be continued during the pendency of an appeal filed by an employer or the employer's insurance carrier. It modifies requirements and limitations on reopening a claim. It modifies requirements to become a qualified employer. The bill modifies requirements for qualified employers' benefit plans. (Amended by House, Committee Substitute)

**Effective Date:** // **Emergency:** No

**Principal Authors:** Echols, Jon (H); Sykes, Anthony (S)

**Status:** Second Reading - Referred to Senate Committee **Status Date:** 03/24/2017

**Committee(1):** **S Judiciary (S)**

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**HB1551 Paraphrase:** HB1551, by Rep. George Faught, R-Muskogee and Sen. Micheal Bergstrom, R-Adair, prohibits the Oklahoma State Board of Examiners for Long-Term Care Administrators from requiring completion of a four-year degree for licensing or certification requirements for nursing facility administrators if such individuals possess 10 years of experience at a nursing facility. (Amended by House, Committee Substitute)



**Effective Date:** 11/01/2017 **Emergency:** No

**Principal Authors:** Faught, George (H); Bergstrom, Micheal (S)

**Status:** Second Reading - Referred to Senate Committee **Status Date:** 03/24/2017

**Committee(1):** **S Health & Human Services (S)**

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**HB1607 Paraphrase:** HB1607, by Rep. John Enns, R-Enid and Sen. Roland Pederson, R-Burlington, exempts the rear-facing child passenger restraint system requirement prescribed therein shall in instances of a child passenger being transported by a parent who has been rightfully issued a detachable placard indicating physical disability or a physically disabled license plate.



**Effective Date:** 11/01/2017 **Emergency:** No

**Principal Authors:** Enns, John (H); Pederson, Roland (S)

**Status:** Second Reading - Referred to Senate Committee **Status Date:** 03/14/2017

**Committee(1):** **S Public Safety (S)**

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**HB1620 Paraphrase:** HB1620, by Rep. Cyndi Munson, D-Oklahoma City and Sen. Robert Standridge, R-Norman, requires the State Board of Health to promulgate rules that require all medical and direct care staff of nursing and specialized facilities, adult





day care centers, assisted living centers, home health agencies and hospice agencies licensed by the State Department of Health to complete, at a minimum, one hour of inservice training per year in Alzheimer's and dementia-related care. It provides the curriculum for the training. It requires the Board to promulgate rules establishing appropriate training requirements for support staff working in listed facilities.

**Effective Date:** 11/01/2017 **Emergency:** No

**Principal Authors:** Munson, Cyndi (H); Standridge, Robert (S)

**Status:** S Introduced **Status Date:** 03/23/2017

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**HB1757 Paraphrase:** HB1757, by Rep. Katie Henke, R-Tulsa and Sen. Gary Stanislawski,



R-Tulsa, allows for mail and Internet sales of hearing aids. The bill requires the organization selling hearing aids to register with the State Department of Health and establishes registration requirements and fees. The bill establishes requirements for sales within the state. The bill establishes cancellation procedures. It defines unlawful practices.

**Effective Date:** 11/01/2017 **Emergency:** No

**Principal Authors:** Henke, Katie (H); Stanislawski, Gary (S)

**Status:** Second Reading - Referred to Senate Committee **Status Date:** 03/14/2017

**Committee(1):** **S Health & Human Services (S)**

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**HB1843 Paraphrase:** HB1843, by Rep. Leslie Osborn, R-Mustang and Sen. Stephanie



Bice, R-Oklahoma City, modifies the definition to "stretcher van passenger" in relation to the Oklahoma Emergency Response Systems Development Act, adding an exemption. (Amended by House, Emergency Measure, Committee Substitute)

**Effective Date:** 07/01/2017 **Emergency:** Yes

**Principal Authors:** Osborn, Leslie (H); Bice, Stephanie (S)

**Status:** Second Reading - Referred to Senate Committee **Status Date:** 03/20/2017

**Committee(1):** **S Health & Human Services (S)**

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**SB0077 Paraphrase:** SB0077, by Sen. Jack Fry, R-Midwest City and Rep. Carl Newton, R-



Cherokee, adds forensic laboratory personnel of the Oklahoma State Bureau of Investigation designated by the Executive Director to the list of first responders authorized to administer without prescription opiate antagonists when encountering an individual exhibiting signs of an opiate overdose.

**Effective Date:** 11/01/2017 **Emergency:** No

**Principal Authors:** Fry, Jack (S); Newton, Carl (H)

**Status:** H Introduced **Status Date:** 03/15/2017

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**SB0180 Paraphrase:** SB0180, by Sen. Greg McCortney, R-Ada and Rep. Chad Caldwell,



R-Enid, provides existing statute should not be construed to require a hospice to employ a certified home health aide in the provision of hospice services so long as the hospice employs a certified nurse aide. It requires a person qualified by the Department of Health as a certified nurse aide to be deemed to have met the requirements to work as a home health aide under the provisions of the Home Care Act and to require no further licensure for performing services within the scope of practice of home health aides.

**Effective Date:** 11/01/2017 **Emergency:** No

**Principal Authors:** McCortney, Greg (S); Caldwell, Chad (H)

**Status:** H Introduced **Status Date:** 03/07/2017

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**SB0250 Paraphrase:** SB0250, by Sen. A J Griffin, R-Guthrie and Rep. Bobby Cleveland,



R-Slaughterville, grants the Oklahoma State Bureau of Investigations original jurisdiction to investigate all deaths of incarcerated offenders when the death occurs in any jail in the state or in the Oklahoma prison system. (Amended by Senate, Stricken Title)

**Effective Date:** 11/01/2017 **Emergency:** No

**Principal Authors:** Griffin, A J (S); Cleveland, Bobby (H)

**Status:** H Introduced **Status Date:** 03/07/2017

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**SB0508 Paraphrase:** SB0508, by Sen. Nathan Dahm, R-Broken Arrow and Rep. Jeff



Coody, R-Grandfield, modifies the definition to "home food establishment" in relation to the Home Bakery Act of 2013 to permit food prepared at a residence to be sold at farmers markets, on site, at cooperatives, through membership-based buying clubs or for delivery. It moves regulation under the act from the Oklahoma State Department of Health to the Department of Agriculture, Food and Forestry and authorizes the department to promulgate necessary rules. It permits the department to request written documentation to verify the gross annual sales of a home food establishment upon a consumer complaint. (Amended by Senate)

**Effective Date:** 11/01/2017 **Emergency:** No

**Principal Authors:** Dahm, Nathan (S); Coody, Jeff (H)

**Status:** H Introduced **Status Date:** 03/13/2017

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**SB0594 Paraphrase:** SB0594, by Sen. Darcy Jech, R-Kingfisher and Rep. Rhonda Baker, R-Yukon, grants the State Board of Agriculture the authority to promulgate rules governing the approval of milk and milk product facilities within the Oklahoma Milk and Milk Products Act and removes the Department of Environmental Quality from the process. The bill also adds the words willfully, recklessly, or negligently to the definition of any person who violates the provisions of the Oklahoma Milk and Milk Products Act. (Amended by Senate, Stricken Title)  
**Effective Date:** 11/01/2017 **Emergency:** No  
**Principal Authors:** Jech, Darcy (S); Baker, Rhonda (H)  
**Status:** H Introduced **Status Date:** 03/07/2017

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**SB0595 Paraphrase:** SB0595, by Sen. Darcy Jech, R-Kingfisher and Rep. Kyle Hilbert, R-Depew, creates the Farmers Market Liability Limitation Act and defines related terms. The bill provides that any participant assumes the inherent risk of attending, buying or selling goods at a farmers market registered with the Oklahoma Department of Agriculture, Food, and Forestry. It allows the farmers market operator to plead an affirmative defense of assumption of risk by the participant if a participant brings an action for damages arising from the operation of a registered farmers market. The bill requires any limitation on legal liability afforded to a registered farmers market operator be in addition to any other limitation of legal liability otherwise provided by law. It provides instances for limited liability.  
**Effective Date:** 11/01/2017 **Emergency:** No  
**Principal Authors:** Jech, Darcy (S); Hilbert, Kyle (H)  
**Status:** H Introduced **Status Date:** 02/27/2017

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**SB0643 Paraphrase:** SB0643, by Sen. Kimberly David, R-Porter and Rep. Scott Biggs, R-Chickasha, creates the Impaired Driving Elimination Act 2 (IDEA2). It modifies requirements related the Department of Public Safety providing certain notices related to driving privileges. It requires a prosecutor to forward to the Department of Public Safety a notice of a deferred prosecution agreement whenever a person arrested for any offense for which the mandatory revocation of the driving privilege of such person by the Department of Public Safety and enters into a deferred prosecution agreement related to such offense. The bill modifies when driving privileges are required to be revoked to include when a person receives a deferred sentence, or a conviction, when such conviction has become final, or a deferred prosecution for certain offenses. It modifies license revocation processes and periods of time. It requires the Department of Public Safety to establish the Impaired Driver Accountability Program. It requires the Department to set eligibility

requirements and consequences for violations. (Amended by Senate, Stricken Title)

**Effective Date:** 11/01/2017 **Emergency:** No

**Principal Authors:** David, Kimberly (S); Biggs, Scott (H)

**Status:** H Introduced **Status Date:** 03/23/2017

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**SB0765 Paraphrase:** SB0765, by Sen. Ervin Yen, R-Oklahoma City and Rep. Katie Henke,



R-Tulsa, makes it unlawful for a person under 18 years of age to use any tanning device of any tanning facility. The bill defines applicable terms. It exempts any physician who is duly licensed to practice medicine and who uses or prescribes to be used a phototherapy device with respect to a patient of any age in the practice of medicine. It requires the owner, lessee or operator of a tanning facility to post in a conspicuous place in each tanning facility owned, leased or operated by that person a notice, available on the State Department of Health's website, that states all of the following: it is unlawful for a tanning facility or operator to allow a person under 18 years of age to use any tanning device; that a tanning facility or operator that violates one or more provisions of this section may be subject to a civil penalty; that an individual may report a violation of one or more provisions of this section to the local law enforcement agency; and that health risks associated with tanning include but are not limited to skin cancer, premature aging of skin, burns to the skin and adverse reactions to certain medications, foods and cosmetics.

**Effective Date:** 11/01/2017 **Emergency:** No

**Principal Authors:** Yen, Ervin (S); Henke, Katie (H)

**Status:** H Introduced **Status Date:** 03/23/2017

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**SB0774 Paraphrase:** SB0774, by Sen. Kimberly David, R-Porter and Rep. Chad Caldwell,



R-Enid, modifies the fee for an application for a license, or renewal thereof, to establish or operate a residential care home, changing it from \$50 to an amount established by the State Board of Health by rule, provided such fee does not exceed \$10 per bed or \$500. It requires all residential care homes to have or employ a licensed administrator for the home, replacing the requirement for the homes to have or employ a certified administrator for the home. The bill also requires each home that proposes new construction or major alteration to submit construction plans to the Department for review prior to the start of construction. It permits the Department to assess a fee for the review in an amount not more than 0.15 percent of \$25,000, whichever is less, per project of the total construction cost of the facility or modification. It requires the State Board of Health to promulgate rules for submission and resubmission of construction plans to ensure the timely

review. It reduces the number of times residential care homes must be inspected from three times annually to one time annually. It eliminates the requirement that the inspections be unannounced and permits the inspections to be unannounced. It also eliminates the requirement that one person be invited from a statewide organization of the elderly or disabled by the Department to act as a citizen observer in any inspection and changes it to permits one person be invited from a statewide organization of the elderly or disabled by the Department to act as a citizen observer in any inspection. (Amended by Senate, Stricken Title, Committee Substitute)

**Effective Date:** 11/01/2017 **Emergency:** No

**Principal Authors:** David, Kimberly (S); Caldwell, Chad (H)

**Status:** H Introduced **Status Date:** 03/20/2017

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**SB0811 Paraphrase:** SB0811, by Sen. Kimberly David, R-Porter and Rep. John Enns, R-



Enid, deletes restrictions related to transitional living centers. (Amended by Senate)

**Effective Date:** 11/01/2017 **Emergency:** No

**Principal Authors:** David, Kimberly (S); Enns, John (H)

**Status:** H Introduced **Status Date:** 03/20/2017

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**SB0827 Paraphrase:** SB0827, by Sen. Jason Smalley, R-Stroud and Rep. Chad Caldwell,



R-Enid, expands the definition of "owner" as it relates to the Nursing Home Care Act.

**Effective Date:** 11/01/2017 **Emergency:** No

**Principal Authors:** Smalley, Jason (S); Caldwell, Chad (H)

**Status:** H Introduced **Status Date:** 03/23/2017

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